

STATE OF NEW HAMPSHIRE  
INTRA-DEPARTMENT COMMUNICATION

**FROM** Sarah Large  
Wetlands Program Analyst

**DATE** April 20, 2020  
**AT (OFFICE)** Bureau of Environment

**SUBJECT** Wetland Bureau Permit # 2018-01689  
Bethlehem, 26763

**TO** Tobey Reynolds, Bureau of Highway Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 9/5/2018 and amended on 4/17/2020.

**Please note condition #8-11 and #19-22 on the permit.**

**Attention Environmental Coordinator and Construction/ Contractor to conditions #8,9,10, & 19**

**Attention Environmental Coordinator and BOE Wetlands Program to conditions #11, 20, 21, 22**

**TERRAIN ALTERATION**

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

**WATER QUALITY CERTIFICATION**

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

**CORPS PERMIT STATUS**

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☒ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required – **ACOE approval 11/9/2018**
- ☐ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

**COASTAL ZONE MANAGEMENT (CZM) STATUS**

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

**EROSION CONTROL PLAN STATUS**

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-3226.

SEL:sel  
Encl.

cc:  
BOE Original  
Deidra Benjamin, Environmental Coordinator (via electronic notification)  
Stephanie Micucci, Bureau of Highway Design (via electronic notification)



The State of New Hampshire  
**Department of Environmental Services**

**Robert R. Scott, Commissioner**



=====

**AMENDED WETLANDS AND NON-SITE SPECIFIC PERMIT 2018-01689**

**NOTE CONDITIONS**

**PERMITTEE:** NH DEPT OF TRANSPORTATION  
PO BOX 483  
CONCORD NH 03301

**PROJECT LOCATION:** NH RT 302 MAIN ST, BETHLEHEM  
TAX MAP #ROW, LOT #ROW

**WATERBODY:** UNNAMED STREAM

**AMENDMENT DATE:** APRIL 17, 2020

**ORIGINAL APPROVAL DATE:** SEPTEMBER 5, 2018

**EXPIRATION DATE:** SEPTEMBER 05, 2023

=====

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued by the New Hampshire Department of Environmental Services (NHDES). This permit shall not be considered valid unless signed as specified below.

**AMENDED PERMIT DESCRIPTION:** Rehabilitate the deteriorating box culvert, carrying an unnamed tributary to Barret Brook under US 302, by patching the existing box culvert portion with concrete in the voids (100 feet), lining the invert of the steel arch pipe (75 feet) with "shotcrete", install baffles in the steel pipe arch portion of the culvert crossing, replace the west side retaining walls at the inlet with a modular block system, and add a ramp at the outlet both with simulated streambed material impacting 1,251 square foot (690 square foot temporary) of riverine wetlands. Compensatory mitigation for 77 linear feet of bank and channel impacts was provided in the form of a one-time payment of \$18,868.08 to the Aquatic Resource Mitigation Fund in the Middle CT Service Area. NHDOT project #26763

**THIS AMENDED APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT-SPECIFIC CONDITIONS:**

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated May, 2018 (Date 05/2018) as received by the Department on June 7, 2018 and amendment plans by NHDOT Bureau of Highway Design dated February 11, 2020 as received by the Department on March 13, 2020.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. This approval is contingent on the Contractor submitting a water diversion plan to NHDES for approval. No work shall begin until the contractor has a water diversion approval from NHDES.
9. There shall be no work from September 15 until October 30 in the stream channel. The channel shall be open for aquatic species to move freely through during this time period.
10. The Contractor shall contact NH Fish and Game John Magee after the baffles are installed, and before the shotcrete liner is installed. The NHDOT Contract Administrator shall contact John Magee two weeks prior to requesting NH Fish and Game presence on site.
11. The NHDOT shall inspect and submit a monitoring report every May and November to NH Fish and Game and NHDES with regards to the baffles. The report shall include photographs and sediment depth in the baffle system.
12. Construction equipment shall not be located within surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
18. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Oriental Bittersweet, Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for the Control of Invasive and Noxious Plant Species (2018). The impacts associated with the temporary work shall be restored immediately following construction.
19. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
20. Baffle weirs shall be monitored to measure stability, perched condition, and potential success of aquatic organism passage of the baffle weirs. A monitoring report shall identify the problem(s) limiting the success, measures which need to be taken to address the problem(s), and a time schedule on which the permittee will implement the corrective measures.
21. Monitoring will be conducted during a moderate flow (spring/fall) and low flow (late summer) period each year for the first, third and fifth years following completion of construction.

22. Monitoring reports shall be submitted by January 1 of the monitoring year to Cheryl Bondi at Cheryl.bondi@des.nh.gov, Lori Sommer at Lori.Sommer@des.nh.gov, and other pertinent NHDES personal and partners involved with this project.

**GENERAL CONDITIONS THAT APPLY TO ALL NHDES WETLANDS PERMITS:**

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The NHDES Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by NHDES;
6. This project has been screened for potential impacts to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have only received cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species; and
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED:



Karl Benedict  
Wetlands Bureau  
Land Resources Management

=====

**BY SIGNING BELOW, I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**

*Tobey Reynolds*

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)